

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

AUNHK RA AUNHKHOTEP, )  
Plaintiff, )  
v. ) Case No. 4:23 CV 540 RWS  
OFFICER JOSEPH KOPFENSTEINER, )  
et al., )  
Defendants. )

# MEMORANDUM AND ORDER

On October 29, 2024, I ordered plaintiff to supplement his motion for summary judgment by providing “evidence and argument with respect to damages.” ECF 87. I further instructed plaintiff that he should file his Rule 26 disclosures (which set out his damages) as part of this submission. ECF 87. Although plaintiff submitted a brief in support of damages, ECF 88, he did not submit any evidence – much less admissible evidence – that this Court may properly consider on the issue of damages. Plaintiff’s brief is not evidence, and he failed to provide his Rule 26 disclosures as ordered. Plaintiff still has time to submit admissible evidence and additional briefing, as the brief submitted does not even indicate the amount of damages being requested. Moreover, the Court instructed plaintiff that his damages calculation must be specific as to each defendant and to each claim. Currently, plaintiff’s brief just addresses the damages

with respect to each defendant without indicating the type of damage suffered and the amount of damages allegedly sustained by each action of each defendant. Plaintiff needs to be specific as he has brought several types of Fourth Amendment claims against at least two of the named defendants. Plaintiff currently has until November 15, 2024, to comply with this Court's October 29, 2024 Memorandum and Order, unless an extension of time is requested before that date.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff shall supplement his motion for summary judgment on the issue of damages as set forth above and in the Court's October 29, 2024 Memorandum and Order (ECF 87) by no later than **November 15, 2024.**

**IT IS FURTHER ORDERED** that defendants shall file their opposition to plaintiff's supplement in support of summary judgment no later than **December 6, 2024.** Plaintiff may file any reply brief in support of summary judgment no later than **December 13, 2024.**

  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 5th day of November, 2024.